

Report on	The Roads Miscellaneous Provisions Act (NI) 2010
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Is this report restricted for confidential business?	Yes	
If 'Yes', confirm below the exempt information category relied upon	No	X

1.0	Purpose of Report
1.1	To update Members in relation to the application process for the temporary closing of roads under <i>The Roads Miscellaneous Provisions Act (NI) 2010</i> .
2.0	Background
2.1	<p>Further to previous reports, Members will be aware that The Department for Infrastructure (DfI) has introduced <i>The Roads Miscellaneous Provisions Act (NI) 2010 (the Act)</i> to permit the closure of roads for the holding of special events, commencing on 4th September 2017.</p> <p>The above legislation enables Council to deal with requests to close roads to hold special events on public roads in its area, except those roads that are 'special roads' (e.g. all motorways).</p> <p>Special Events are defined as:</p> <ul style="list-style-type: none"> • Any sporting event, social event or entertainment which is held on a public road; or • The making of a film on a public road (including making TV programmes, films or advertisements). <p>Special Events do not include the following:</p> <ul style="list-style-type: none"> • Public processions; • Motor road races; • Cycle races or trials; or • Road works <p>The underlying principle in relation to special events on roads is that it would not be reasonably practicable to hold the event elsewhere. The restriction or prohibition of traffic using the public road will only be permitted for:</p> <ul style="list-style-type: none"> • Facilitating the holding of a special event, or • Enabling members of the public to watch a special event, or • Reducing traffic disruption in adjacent streets <p>Although the legislation provides the Council with the power to prohibit or restrict the use of a public road, an Order cannot be made that would at any time prevent pedestrian access to any premises situated on or adjacent to the road, or to any other premises accessible for pedestrians from and only from the road.</p>

3.0	Main Report
3.1	<p>Any person considering closing a public road for a special event will be encouraged to contact the Environmental Health Service at the earliest opportunity to discuss the proposal in advance of submitting an application. It is anticipated that robust pre-application discussions with applicants will facilitate the application process by identifying potential areas of concern at an early stage.</p> <p>Upon request prospective applicants will receive or will be able to download an application pack containing:</p> <ul style="list-style-type: none"> • MUDC Application Form • MUDC's 'Guidance Notes on Applying to Hold a Special Event on a Public Road' • DfI's 'Special Events on Roads - Guidance for promoters of Events' <p>In order for the assessment process to proceed it is essential that all applicants submit their completed application form, appropriate fee and relevant supporting information at the time of application. Supporting information that will be required from all applicants includes:</p> <ul style="list-style-type: none"> • Location plan / map showing marshals / stewards and first aid positions • Copy of the Traffic Signing Schedule • Traffic Management Plan • Evidence of Public Liability Insurance • Details of consultees and feedback received • Copy of Sector Scheme 12ab (or Ch8) Certificate of Competence for those undertaking signing work • Evidence of consultation / agreement with emergency services. <p>As extensive consultation is required with DfI Roads and various statutory bodies, including the PSNI for Council to prohibit or restrict traffic on the road(s) involved, it is therefore important that all relevant information to support any application is made available early. The DfI's guidance for promoters of events recommends that Council be given at least 12 weeks' notice to allow for the processing of an application.</p> <p>Members will be informed of those events requiring a potential road closure through report to Committee .</p> <p>A minimum of 21 days from the date of publication of the public notice is required to allow opportunity for written representations to be made. A report will then be prepared for consideration by Committee to enable the applications to be determined. The Committee will have regard to the safety, convenience and suitability of proposed alternative traffic routes as well as DfI Roads guidance in the course of reaching its decision.</p> <p>Each application will be considered on its own merits and Committee may determine to grant or refuse an application. There is no right of appeal to the Council's decision.</p>

4.0	Other Considerations
4.1	<u>Financial & Human Resources Implications</u> Financial: As referenced in previous reports. Human: As referenced in previous reports.
4.2	<u>Equality and Good Relations Implications</u> N/A
4.3	<u>Risk Management Implications</u> N/A.
5.0	Recommendation(s)
5.1	Members are asked to note the contents of this report, the process for submission of applications and future special events that may require a road closure.
6.0	Documents Attached & References
6.1	Appendix 1: Schedule of Potential Special Events that may require a road closure.
6.2	Appendix 2: Application to Hold a Special Event on a Public Road
6.3	Appendix 3: MUDC's 'Guidance Notes on Applying to Hold a Special Event on a Public Road'